


To: The Honorable Vice Mayor and City Council

From: Wisler Pierre-Louis, Interim Public Works Director 

Date: May 21, 2014

RE: **A RESOLUTION OF THE VICE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE INTERIM CITY MANAGER AND CITY ATTORNEY TO SUBMIT AN APPLICATION IN ORDER TO OBTAIN PROJECT FINANCING UNDER THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION STATE REVOLVING FUND PROGRAM (SRF) FOR THREE PROPOSED FORCE MAIN PROJECTS WITHIN THE CITY; FURTHER AUTHORIZING THE INTERIM CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE AN AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) IN ORDER TO OBTAIN SRF FINANCING; ESTABLISHING PLEDGED REVENUES, DESIGNATING AUTHORIZED REPRESENTATIVES, AND PROVIDING ASSURANCES OF COMPLIANCE WITH PROGRAM REQUIREMENTS; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.**

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### **RECOMMENDATION**

Staff is recommending authorization for the Interim City Manager and City Attorney as follows:

- To submit the attached application in order to obtain project financing under the Florida Department of Environmental Protection (FDEP) State Revolving Fund Program (SRF) for three proposed force main projects within the City's sewer service area.
- To negotiate and execute an agreement between the City of North Miami and the Florida Department of Environmental Protection (FDEP) in order to obtain SRF financing.

- To authorize the revenues pledged for the repayment of the loan, from the net water and sewer utility system revenues.
- To provide the assurances and commitments required by the SRF Application and to carry out the obligations of the agreement.

### **BACKGROUND**

The City of North Miami's wastewater collection and transmission system serves an urbanized area of Miami-Dade encompassing approximately 5,300 acres. The City's collection and transmission system discharges into the Miami-Dade Water and Sewer Department (MDWASD) system at five connection points and is treated at Miami-Dade North District Wastewater Treatment Plant. The system consists of approximately 118 miles of sanitary sewer and 150 pump stations.

As authorized by the City, in 2011, Hazen and Sawyer developed an updated Sanitary Sewer Master Plan to identify the needs of the City's collection and transmission system. The updated Sanitary Sewer Master Plan evaluated the increase in population, aging infrastructure, and other variables that have affected the City's planning and operating environment. It also assessed existing system capacity and identified and prioritized the various system improvements needed to accommodate future growth for the period 2010-2030. The Sanitary Sewer Master Plan serves as a planning tool to assist the City in the assessment of its Federal, State, County, and Local regulatory compliance requirements with respect to sanitary sewer.

The following three (3) projects: 1) *Force Main Rehabilitation Project/Northwest 2<sup>nd</sup> Avenue*, between Northwest 135<sup>th</sup> Street and Northwest 131<sup>st</sup> Street; 2) *Force Main Rehabilitation Project/Northeast 131<sup>st</sup> Street*, between Northeast 8<sup>th</sup> Avenue and Northeast 12<sup>th</sup> Avenue; and 3) *Biscayne Boulevard Force Main Improvements Project* (collectively referred to as "Projects"), for an approximate cost of Three Million Four Hundred Eighty Five Thousand Four Hundred Ninety Nine Dollars (\$3,485,499.00) were recommended improvements from the Sanitary Sewer Master Plan. The Florida Department of Environmental Protection State Revolving Fund ("SRF") has identified these force main improvements, under Project Number WW13181, as eligible for available financing.



Obtaining funds for the construction of these force main improvements will enhance service to the population and maintain compliance with regulatory requirements.

### **ATTACHMENTS**

- (1) Loan Application
- (2) Legal Opinion Letter
- (3) EPA Pre-award Compliance
- (4) Proposed Resolution

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE INTERIM CITY MANAGER AND CITY ATTORNEY TO SUBMIT AN APPLICATION IN ORDER TO OBTAIN PROJECT FINANCING UNDER THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION STATE REVOLVING FUND PROGRAM (SRF) FOR THREE (3) PROPOSED FORCE MAIN PROJECTS WITHIN THE CITY; FURTHER AUTHORIZING THE INTERIM CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE AN AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) IN ORDER TO OBTAIN SRF FINANCING; ESTABLISHING PLEDGED REVENUES, DESIGNATING AUTHORIZED REPRESENTATIVES, AND PROVIDING ASSURANCES OF COMPLIANCE WITH PROGRAM REQUIREMENTS; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.**

**WHEREAS**, the Florida Safe Drinking Water Act under Chapter 403, Florida Statutes, provides for financial assistance to local government agencies to finance construction of pump stations and force main improvements; and

**WHEREAS**, Florida Administrative Code rules require authorization for the City of North Miami ("City") to apply for financial assistance, to enter into an agreement with the Florida Department of Environmental Protection ("FDEP"), to establish pledged revenues, to designate an authorized representative and to provide assurances of compliance with program requirements; and

**WHEREAS**, the Florida Department of Environmental Protection State Revolving Fund ("SRF") has designated construction of pump stations and force main improvements, under Project Number WW13181, as eligible for available financing; and

**WHEREAS**, SRF funds will be used toward sewer improvements for the following three (3) projects: 1) *Force Main Rehabilitation Project/Northwest 2<sup>nd</sup> Avenue*, between Northwest 135<sup>th</sup> Street and Northwest 131<sup>st</sup> Street; 2) *Force Main Rehabilitation Project/Northeast 131<sup>st</sup> Street*, between Northeast 8<sup>th</sup> Avenue and Northeast 12<sup>th</sup> Avenue; and 3) *Biscayne Boulevard Force Main Improvements Project* (collectively referred to as "Projects"), for an approximate



cost of Three Million Four Hundred Eighty-Five Thousand Four Hundred Ninety-Nine Dollars (\$3,485,499.00); and

**WHEREAS**, the Vice Mayor as Acting Mayor and City Council have determined that the approval of the attached SRF Loan Application to obtain funds for the construction and rehabilitation of the Projects, is in the best interest of the City.

**NOW THEREFORE, BE IT DULY RESOLVED BY THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA:**

**Section 1. Submission of Application.** The Vice Mayor as Acting Mayor and City Council of the City of North Miami, Florida, hereby authorize the Interim City Manager and City Attorney to submit the attached application in order to obtain project financing under the Florida Department of Environmental Protection State Revolving Fund Program (SRF) for three (3) proposed force main projects within the City.

**Section 2. Authority of City Manager and City Attorney.** The Vice Mayor as Acting Mayor and City Council of the City of North Miami, Florida, hereby authorize the Interim City Manager and City Attorney to negotiate and execute an agreement between the City of North Miami and the Florida Department of Environmental Protection (FDEP) in order to obtain SRF financing.

**Section 3. Establishment of Pledged Revenues.** The Vice Mayor as Acting Mayor and City Council of the City of North Miami, Florida, hereby authorize the revenues pledged for the repayment of the loan, from the net water and sewer utility system revenues.

**Section 4. Designation of Interim City Manager as Authorized Representative.** The Vice Mayor as Acting Mayor and City Council of the City of North Miami, Florida, hereby designate the Interim City Manager as the authorized representative to provide the assurances and commitments required by the SRF Application and to carry out the obligations of the agreement.

**Section 5. Effective Date.** This Resolution shall become effective immediately upon adoption.

**PASSED AND ADOPTED** by a \_\_\_\_\_ vote of the Vice Mayor as Acting Mayor and City Council of the City of North Miami, Florida, this \_\_\_\_\_ day of May, 2014.

\_\_\_\_\_  
PHILIPPE BIEN-AIME  
VICE MAYOR AS ACTING MAYOR

ATTEST:

\_\_\_\_\_  
MICHAEL A. ETIENNE, ESQ.  
CITY CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

\_\_\_\_\_  
REGINE M. MONESTIME  
CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

**Vote:**

Vice Mayor as Acting Mayor Philippe Bien-Aime  
Councilperson Scott Galvin  
Councilperson Carol Keys, Esq.  
Councilperson Marie Erlande Steril

_____	(Yes)	_____	(No)
_____	(Yes)	_____	(No)
_____	(Yes)	_____	(No)
_____	(Yes)	_____	(No)



## LOAN APPLICATION

- (1) **SUBMITTAL.** Submit the application and attachments to the Department of Environmental Protection, MS 3505, Bureau of Water Facilities Funding, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.
- (2) **COMPLETING THE APPLICATION.**
  - (a) This application consists of five parts: (I) ADMINISTRATIVE INFORMATION; (II) PROJECT INFORMATION; (III) FINANCIAL INFORMATION; (IV) AUTHORIZATION AND ASSURANCES; and (V) SUPPLEMENTARY INFORMATION.
  - (b) All information provided on this application must be printed. Monetary amounts may be rounded.
  - (c) Forms and attachments to be submitted are denoted with italic print.
- (3) **ASSISTANCE.** Completing this application may require information that can be obtained from Bureau of Water Facilities Funding staff. Please call (850) 245-8358 or SUNCOM 205-8358 for assistance in completing this application.

### PART I - ADMINISTRATIVE INFORMATION

- (1) **PROJECT SPONSOR** City of North Miami, Florida  
Federal Employer Identification Number 59-6000-390
- (2) **AUTHORIZED REPRESENTATIVE** (person authorized to sign or attest loan documents).  
Name Aleem A. Ghany P.E. Title Interim City Manager  
Telephone 305.895.9888 FAX 305.893.1367 Email aghany@northmiamifl.gov  
Mailing Address 776 NE 125 Street -4<sup>th</sup> Floor  
North Miami FL 33161
- (3) **PRIMARY CONTACT** (person to answer questions regarding this application).  
Name Wisler Pierre-Louis, PE Title Interim Public Works Director  
Telephone 305.895.9838 Ext 15005 FAX 305.893.1367 Email Wpierre-louis@northmiamifl.gov  
Employer City of North Miami, Florida  
Mailing Address 776 NE 125 Street -3<sup>rd</sup> Floor  
North Miami FL 33161
- (4) **ADDITIONAL CONTACTS.** If more than one additional person is to receive copies of Department correspondence, attach the information (*Attachment #A*).  
Name Camelia Colin Siguineau, CPA Title Finance Director  
Telephone 305.891.2617 FAX 305.893.1015 Email csiguineau@northmiamifl.gov  
Employer City of North Miami, Florida  
Mailing Address 776 NE 125 Street -3<sup>rd</sup> Floor  
North Miami FL 33161
- (5) **PROJECT NUMBER** (listed on the Department's priority list). WW 13181

- (6) **CAPITALIZATION GRANT PROJECT REQUIREMENTS.** An Applicant may have to comply with certain Federal requirements for loans from funds that, in aggregate, are equivalent to the amount of the federal grant awarded to the Department to partially capitalize the State Revolving Fund. Please check with the Department to determine if the project is subject to such requirements.

**Is this project subject to special federal requirements?**

☒ Yes ☐ No

If this project is subject to special federal requirements complete an *EPA Preaward Compliance Review Report* and attach in Part V, *List of Attachments*. (Attachment #B).

- (7) **FINANCIAL HARDSHIP.** To qualify for a financial hardship loan the affordability index of a small community to be served by the project shall be less than 100. A small community is a municipality or unincorporated community with a total service area population of 20,000 or less as of the most recent decennial census. Please check with the Department to determine if the project qualifies for a financial hardship loan.

**Does the loan qualify for financial hardship consideration?**

☐ Yes ☒ No

- (8) **DIRECT AND LEVERAGED LOANS.** A local government project sponsor that receives a loan from proceeds of bonds issued by the Florida Water Pollution Control Financing Corporation will be subject to certain limitations resulting from the tax exempt status of such bonds. Please check with the Department to determine if the loan is subject to such limitations.

**Is this loan subject to the special leveraged loan limitations?**

☐ Yes ☒ No

## PART II – PROJECT INFORMATION

If you are applying for a loan to plan and design a project that will involve construction, complete only Subpart A below. If you are applying for a loan to construct a project that is already planned and designed, complete only Subpart B below.

### A. PRECONSTRUCTION PROJECT

Information should be provided for each separate facility to be planned and designed as appropriate. For design/build projects or those where multiple facilities, segments, or phases are involved, please attach information for activities, schedule, and cost for each. (Attachment #\_\_\_\_\_)

- (1) **ACTIVITIES.** Attach a brief description of the scope of planning and design activities to be financed by this loan. Include a list of any specialized studies to be performed. (Attachment #\_\_\_\_\_). Are these activities the same as those scheduled on *Request for Inclusion Form*? ☐ Yes ☐ No. If "No", please explain. (Attachment #\_\_\_\_\_)

- (2) **SCHEDULE.**

- (a) Provide proposed completion dates for the items. (Please call Department staff to discuss time frames needed to complete required tasks.)

Planning documentation

Engineering work

Certification of site availability

Permit

- (b) Do you anticipate that an interlocal agreement with another party will be necessary to implement the project? If "Yes", please explain. (Attachment #\_\_\_\_\_)

☐ Yes ☐ No

- (c) Is this a design/build project?

☐ Yes ☐ No



- (3) COST. Is the cost information submitted for the preconstruction loan priority list ☐ Yes ☐ No current? If "No", please explain and submit revised cost information using the appropriate page of the Request for Inclusion Form. (Attachment #\_\_\_\_) Note that the disbursable amount will be limited to the priority list amount.

**PRECONSTRUCTION LOAN APPLICANTS PROCEED TO PART III.**

**B. CONSTRUCTION PROJECT**

**(1) ACTIVITIES.**

- (a) Attach a brief description of construction activities to be financed by this loan. Include a list of the construction contracts (by title) corresponding to the plans and specifications accepted by the Department (Attachment #C).

Are these contracts the same as those scheduled on the *Request for Inclusion Form*? ☒ Yes ☐ No

If "No", please explain. (Attachment #\_\_\_\_)

- (b) Have any of the contracts been bid? ☒ Yes ☐ No

If "Yes", indicate which contracts have been bid. (Attachment #D)

- (c) Was the planning and design for this project financed with a preconstruction loan? ☒ Yes ☐ No

If "Yes", give the preconstruction loan number. WW131810

- (d) Does this project involve an interlocal agreement with other local governments or other entities? ☐ Yes ☒ No

If "Yes", attach a copy of the Department letter accepting the interlocal agreement. (Attachment #\_\_\_\_)

Is the interlocal agreement, as accepted by the Department, fully executed and enforceable? ☐ Yes ☐ No

If "No", please explain (Attachment #\_\_\_\_).

**(2) SCHEDULE.**

(month and year)

- (a) What is the estimated date for the start of construction? 5/2014
- (b) What is the estimated date for construction completion? 5/2016
- (c) What is the date for start up of the facilities? 7/2016

- (3) COST. Is the cost information submitted for the priority list current? ☒ Yes ☐ No

If "No", please explain and submit revised cost information using the appropriate page of the *Request for Inclusion Form*. (Attachment #\_\_\_\_) Note that the disbursable amount will be limited to the priority list amount.

### PART III - FINANCIAL INFORMATION

Please check with the Department to establish estimates of the capitalized interest rate, project useful life for financial hardship loans, financing rate, pledged revenue coverage, limitations on annual loan amounts for large projects, applicability and amount of repayment reserves, amount of the loan service fee and any other information needed to complete this form.

- (1) **PRINCIPAL.** The requested amount of the loan, excluding capitalized interest is \$3,485,499  
The estimate of the capitalized interest is \$35,291 based on a financing rate of .81%

Note that the disbursable amount will be limited to the priority list amount and must be consistent with the project information provided under **PART II** of this application. Also note that the capitalized interest is an inexact estimate, and it is subject to adjustment by the Department to reflect actual disbursement timing. The principal amount of the loan does not include the loan service fee.

(2) **TERMS AND REPAYMENT.**

- (a) Loans to local government project sponsors are amortized over the lesser of useful life of the project or 20 years unless the project is to serve a small community qualifying as having a financial hardship. Loans to financial hardship communities may be amortized over the lesser of useful life of the project or 30 years. Loans to non-governmental project sponsors are amortized over the lesser of the useful of the project or 10 years. Finance charges and principal are paid semiannually.

What is the useful life of the project? 30 (years)

Over how many years would you like to amortize the loan? 20 (years)

- (b) List all revenues that are to be pledged for repayment of this loan. Water and Sewer System Net Operating Revenues.
- (c) Pledged revenue receipts or collections by the project sponsor must exceed the amount of the repayments due to the Department unless there are other collateral provisions. The excess revenue, or coverage, generally is 15% of each repayment.

What coverage is proposed for the loan? 15% (coverage percentage)

- (d) Is any other financial assistance being applied to this project? ☐ Yes ☒ No  
If "Yes", please list. (Attachment #       )

- (3) **ANNUAL FUNDING LIMIT.** Large project funding (generally, loans in excess of \$10 million) may be provided in increments pursuant to the initial loan agreement and subsequent amendments. Each increment shall have a separate financing rate as established in the agreement or amendment providing that increment.

- (4) **LOAN REPAYMENT RESERVE.** Subject to the Department's approval, a local government may establish a restricted or assigned reserve account, using its own funds, in an amount not less than the sum of two semiannual loan repayments in order to reduce the pledged revenue coverage requirement to as low as 1.0 times the annual debt service.

Is a reserve expected to be established using local funds?

☐ Yes ☐ No

If "Yes," describe the locally funded reserve. (Attachment #       )

(5) **INFORMATION ON LIENS.**

- (a) Describe, if applicable, all debt obligations having a prior or parity lien on the revenues pledged to repay this loan. (Attachment # E) For example: City Name, Florida, Water and Sewer System Revenue Bonds, Series 1996, issued in the amount of \$10,000,000, pursuant to Ordinance No. 93-104, as amended and supplemented by Ordinance No. 96-156.



- (b) Using the Part V, *Schedule of Prior and Parity Liens*, provide debt service information, if applicable, on each prior and parity obligation.
- (c) For the listed obligations, provide a copy of the ordinance(s), resolution(s), official statement(s), or pages thereof, setting forth the definitions, use of proceeds, debt service schedule, pledged revenues, rate covenants, provisions for issuing additional debt, provisions for bond insurance, and debt rating. (*Attachment #E*).
- (d) Describe any other notes and loans payable from the revenues pledged to repay this loan. (*Attachment #E*)
- (6) **ACTUAL AND PROJECTED REVENUES.**
  - (a) Complete the Part V, *Schedule of Actual Revenues and Debt Coverage* for the past two fiscal years.
  - (b) Complete the Part V, *Schedule of Projected Revenues and Debt Coverage*, demonstrating the availability of pledged revenues for loan repayment.
- (7) **AVAILABILITY OF PLEDGED REVENUES.** All sources must be supported by a written legal opinion. (*Attachment #E*) The opinion must address the following:
  - (a) Availability of the revenues to repay the loan.
  - (b) Right to increase rates at which revenues shall be collected to repay the loan.
  - (c) Subordination of the pledge if pledged revenues are subject to a prior or parity lien.
- (8) **LOAN SERVICE FEE.** A loan service fee is assessed on each loan. The fee is not part of the loan. The fee along with interest thereon will be deducted from the first available repayments after the final amendment to the loan agreement.

#### **PART IV – AUTHORIZATION AND ASSURANCES**

- (1) **AUTHORIZATION.** Provide an authorizing resolution of the Applicant's governing body or other evidence of authorization (*Attachment #G*) for the following:
  - (a) Pledging revenues to repay the loan.
  - (b) Designation of the Authorized Representative(s) to file this application, provide assurances, execute the loan agreement, and represent the Applicant in carrying out responsibilities (including that of requesting loan disbursements) under the loan agreement.
- (2) **ASSURANCES.** The Applicant agrees to comply with the laws, rules, regulations, policies and conditions relating to the loan for this project. Applicants should seek further information from the Bureau of Water Facilities Funding staff as to the applicability of the requirements if the necessity for the assurances are of concern. Specifically, the Applicant certifies that it has complied, as appropriate, and will comply with the following requirements, as appropriate, in undertaking the Project:
  - (a) Assurances for capitalization grant projects.
    - 1. Complete all facilities for which funding has been provided.
    - 2. The Archaeological and Historic Preservation Act of 1974, PL 93-291, and the National Historic Preservation Act of 1966, PL 89-665, as amended, regarding identification and protection of historic properties.
    - 3. The Clean Air Act, 42 U.S.C. 7506(c), which requires conformance with State Air Quality Implementation Plans.
    - 4. The Coastal Zone Management Act of 1972, PL 92-583, as amended, which requires assurance of project consistency with the approved State management program developed under this Act.
    - 5. The Endangered Species Act, 16 U.S.C. 1531, et seq., which requires that projects avoid disrupting threatened or endangered species and their habitats.

6. Executive Order 11593, Protection and Enhancement of the Cultural Environment, regarding preservation, restoration and maintenance of the historic and cultural environment.
  7. Executive Order 11988, Floodplain Management, related to avoiding, to the extent possible, adverse impacts associated with floodplain occupancy, modification and development whenever there is a practicable alternative.
  8. Executive Order 11990, Protection of Wetlands, related to avoiding, to the extent possible, adverse impacts associated with the destruction or modification of wetlands and avoiding support of construction in wetlands.
  9. The Fish and Wildlife Coordination Act, PL 85-624, as amended, which requires that actions to control natural streams or other water bodies be undertaken to protect fish and wildlife resources and their habitats.
  10. The Safe Drinking Water Act, Section 1424(e), PL 93-523, as amended, regarding protection of underground sources of drinking water.
  11. The Wild and Scenic Rivers Act, PL 90-542, as amended, related to protecting components or potential components of the national wild and scenic rivers system.
  12. The federal statutes relating to nondiscrimination, including: The Civil rights Act of 1964, PL 88-352, which prohibits discrimination on the basis of race, color or national origin; the Age Discrimination Act, PL 94-135, which prohibits discrimination on the basis of age; Section 13 of the Federal Water Pollution Control Act, PL 92-500, which prohibits sex discrimination; the Rehabilitation Act of 1973, PL 93-112, as amended, which prohibits discrimination on the basis of handicaps.
  13. Executive Order 11246, Equal Employment Opportunity, which provides for equal opportunity for all qualified persons.
  14. Executive Orders 11625 and 12138, Women's and Minority Business Enterprise, which require that small, minority, and women's business and labor surplus areas are used when possible as sources of supplies, equipment, construction and services.
  15. The Coastal Barrier Resources Act, 16 U.S.C. 3501 et seq., regarding protection and conservation of the coastal barrier resources.
  16. The Farmland Protection Policy Act, 7 U.S.C. 4201 et seq., regarding protection of agricultural lands from irreversible loss.
  17. The Uniform Relocation and Real Property Acquisition Policies Act of 1970, PL 91-646, which provides for fair and equitable treatment of persons displaced or whose property is acquired as a result of federal or federally assisted programs.
  18. The Demonstration Cities and Metropolitan Development Act of 1966, PL 89-754, as amended, which requires that projects be carried out in accordance with area wide planning activities.
  19. Section 306 of the Clean Air Act, Section 508 of the Clean Water Act and Executive Order 11738, which prohibit manufacturers, firms, or other enterprises on the EPA's list of Violating Facilities from participating in the Project.
  20. Executive Order 12549, Debarment and Suspension, which prohibits any award to a party which is debarred or suspended or is otherwise excluded from, or ineligible for, participation in federal assistance programs.
  21. Minority and Women's Business Enterprise participation in project work using numerical goals, established by the U.S. Environmental Protection Agency, and to be set forth in the specifications for construction and materials contracts.
- (b) Assurances for other projects.
1. Chapter 161, Part I, F.S., "Beach and Shore Preservation Act" and Part III, "Coastal Zone Protection Act of 1985" which regulate coastal zone construction and all activities likely to affect the condition of the beaches or shore.



2. Chapter 163, Part II, F.S., the "Local Government Comprehensive Planning and Land Development Regulation Act" which requires units of local government to establish and implement comprehensive planning programs to control future development.
3. Chapter 186, F.S., State and Regional Planning, which requires conformance of projects with Regional Plans and the State Comprehensive Plan.
4. Chapter 253, F.S., "Emergency Archaeological Property Acquisition Act of 1988" which requires protection of archaeological properties of major statewide significance discovered during construction activities.
5. Chapter 258, Part III, F.S., which requires protection of components or potential components of the national wild and scenic rivers system.
6. Chapter 267, F.S., the "Florida Historical Resources Act" which requires identification, protection, and preservation of historic properties, archaeological and anthropological sites.
7. Chapter 287, Part I, F.S., which prohibits parties convicted of public entity crimes or discrimination from participating in State-assisted projects and which requires consideration of the utilization of Minority Business Enterprises in State-assisted projects.
8. Chapter 372, F.S., the Florida Endangered and Threatened Species Act which prohibits the killing or wounding of an endangered, threatened, or special concern species or intentionally destroying their eggs or nest.
9. Chapter 373, Part IV, F.S., Florida Water Resources Act of 1972, which requires that activities on surface waters or wetlands avoid adversely affecting: public health, safety, welfare, or property; conservation of fish and wildlife, including endangered or threatened species or their habitats; navigation or the flow of water; the fishing or recreational values or marine productivity; and significant historical and archaeological resources.
10. Chapter 380, Part I, F.S., Florida Environmental Land and Water Management Act of 1972 as it pertains to regulation of developments and implementation of land and water management policies.
11. Chapter 381, F.S., Public Health, as it pertains to regulation of onsite wastewater systems.
12. Chapter 403, Part I, F.S., Florida Air and Water Pollution Control which requires protection of all waters of the state.
13. Chapter 582, F.S., Soil and Water Conservation Act which requires conformance with Water Management District's regulations governing the use of land and water resources.
14. Governor's Executive Order 95-359, which requires State Clearinghouse review of project planning documentation and intergovernmental coordination.

Signed this \_\_\_\_\_ Day of \_\_\_\_\_, 20\_\_\_\_

## Attachments

**PART V – SUPPLEMENTARY INFORMATION**  
**SCHEDULE OF PRIOR AND PARITY LIENS**

List annual debt service beginning two years before the anticipated loan agreement date and continuing at least fifteen fiscal years. Use additional pages as necessary.

Identify Each Obligation

Identify Each Obligation											
#1 SunTrust 1 - Loan		\$1,200,000	#2 SunTrust 3 - Loan		\$508,959	#3 SunTrust 4 - Loan		\$709,181			
Coverage %		120%	Coverage %		120%	Coverage %		120%			
Insured (Yes/No)		Yes	Insured (Yes/No)		Yes	Insured (Yes/No)		Yes			
# 4 SunTrust 5 - Loan		\$514,250	# 5 SunTrust 6 - Loan		\$424,421	# 6 SRF WW131810		\$491,653			
Coverage %		120%	Coverage %		120%	Coverage %		115%			
Insured (Yes/No)		Yes	Insured (Yes/No)		Yes	Insured (Yes/No)		Yes			
# 7 SRF Loan DW131830		\$4,572,325	# 8			# 9					
Coverage %		115%	Coverage %		0%	Coverage %		0%			
Insured (Yes/No)		Yes	Insured (Yes/No)		No	Insured (Yes/No)		No			
Fiscal Year	Debt Service (Principal + Interest)									Total Non-SRF Debt Service w/coverage	Total SRF Debt Service w/coverage
	#1	#2	#3	#4	#5	#6	#7	#8	#9		
2012	197,734	84,269	90,470	84,428	68,626					630,632	-
2013	49,434	5,826	87,811	84,425	69,628					356,549	-
2014			87,812	10,378	69,628					201,382	-
2015			87,813		69,627	29,490	280,388			188,928	356,360
2016			87,812			29,490	280,388			105,374	356,360
2017			87,812			29,490	280,388			105,374	356,360
2018						29,490	280,388				356,360
2019						29,490	280,388				356,360
2020						29,490	280,388				356,360
2021						29,490	280,388				356,360
2022						29,490	280,388			-	356,360
2023						29,490	280,388			-	356,360
2024						29,490	280,388			-	356,360
2025						29,490	280,388			-	356,360
2026						29,490	280,388			-	356,360
2027						29,490	280,388			-	356,360
2028						29,490	280,388			-	356,360
2029						29,490	280,388			-	356,360
2030						29,490	280,388			-	356,360
2031						29,490	280,388			-	356,360
2032						29,490	280,388			-	356,360
2033						29,490	280,388			-	356,360
2034						29,490	280,388			-	356,360
2035						29,490	280,388			-	356,360



**PART V – SUPPLEMENTARY INFORMATION**

**SCHEDULE OF ACTUAL REVENUES AND DEBT COVERAGE  
FOR PLEDGED REVENUE**

(Provide information for the two fiscal years preceding the anticipated date of the SRF loan agreement)

	<b>FY 2011</b>	<b>FY 2012</b>
(a) Operating Revenues (Identify)		
<u>Water Revenues</u>	<u>\$ 7,149,794</u>	<u>\$ 8,942,395</u>
<u>Sewer Revenues</u>	<u>\$ 10,438,614</u>	<u>\$ 9,970,962</u>
(b) Interest Income	<u>\$ 51,997</u>	<u>\$ 92,675</u>
(c) Other Incomes or Revenues (Identify)		
<u>Other charges for services</u>	<u>\$ 1,661,025</u>	<u>\$ 1,945,339</u>
<u>Capital Improvement Utility Fee</u>	<u>\$ 3,994,996</u>	<u>\$ 1,628,694</u>
(d) Total Revenues	<u>\$ 23,296,426</u>	<u>\$ 22,580,065</u>
(e) Operating Expenses (excluding interest on debt, depreciation, and other non-cash items)	<u>\$ 20,823,528</u>	<u>\$ 18,364,963</u>
(f) Net Revenues (f = d – e)	<u>\$ 2,472,898</u>	<u>\$ 4,215,102</u>
(g) Debt Service (including coverage) Excluding SRF Loans	<u>\$ 5,138,820</u>	<u>\$ 630,632</u>
(h) Debt Service (including coverage) for Outstanding SRF Loans	<u></u>	<u></u>
(i) Net Revenues After Debt Service (i = f – g – h)	<u>\$ (2,665,922)</u>	<u>\$ 3,584,470</u>

Source: City of North Miami 2011 CAFR and 2012 CAFR
Notes: CAFR Worksheets Attachment E- Financial Back-up Documentation

**PART V – SUPPLEMENTARY INFORMATION**  
**SCHEDULE OF PROJECTED REVENUES AND DEBT COVERAGE**  
**FOR RATE-BASED SYSTEM PLEDGED REVENUE**  
(Begin with the fiscal year preceding first anticipated semiannual loan payment.)

	<u>FY2013</u>	<u>FY2014</u>	<u>FY2015</u>	<u>FY2016</u>	<u>FY2017</u>
Operating Revenues					
(a) (Identify)					
Water Revenues	<u>12,320,800</u>	<u>12,722,100</u>	<u>13,348,300</u>	<u>14,219,900</u>	<u>14,219,900</u>
Sewer Revenues	<u>13,856,100</u>	<u>15,488,100</u>	<u>16,701,800</u>	<u>17,792,400</u>	<u>17,792,400</u>
(b) Interest Income	<u>55,916</u>	<u>57,985</u>	<u>58,391</u>	<u>60,551</u>	<u>60,551</u>
Other Incomes or					
(c) Revenues (Identify)					
Other Charges for Service	<u>1,688,600</u>	<u>1,692,900</u>	<u>1,697,100</u>	<u>1,705,600</u>	<u>1,705,600</u>
(d) Total Revenues	<u>27,921,416</u>	<u>29,961,085</u>	<u>31,805,591</u>	<u>33,778,451</u>	<u>33,778,451</u>
(e) Operating Expenses	<u>20,231,400</u>	<u>21,158,200</u>	<u>22,145,400</u>	<u>23,190,100</u>	<u>23,190,100</u>
(f) Net Revenues (f = d - e)	<u>7,690,016</u>	<u>8,802,885</u>	<u>9,660,191</u>	<u>10,588,351</u>	<u>10,588,351</u>
Existing Debt Service					
on Non-SRF Projects					
(g) (including coverage)	<u>356,549</u>	<u>201,382</u>	<u>188,928</u>	<u>105,374</u>	<u>105,374</u>
Existing SRF Loan Debt					
(h) (including coverage)	<u>0</u>	<u>0</u>	<u>356,360</u>	<u>356,360</u>	<u>356,360</u>
Total Existing Debt					
(i) Service (I = g + h)	<u>356,549</u>	<u>201,382</u>	<u>545,288</u>	<u>461,734</u>	<u>461,734</u>
Projected Debt Service					
on Non-SRF Future					
Projects (including					
(j) coverage)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Projected SRF Loan					
Debt Service (including					
(k) coverage)	<u>0</u>	<u>0</u>	<u>0</u>	<u>224,505</u>	<u>224,505</u>
Total Debt Service					
(Existing and					
(l) Projected) (I = I + j + k)	<u>356,549</u>	<u>201,382</u>	<u>545,288</u>	<u>686,239</u>	<u>686,239</u>
Net Revenues After					
(m) Debt (m = f - I)	<u>7,333,467</u>	<u>8,601,503</u>	<u>9,114,903</u>	<u>9,902,112</u>	<u>9,902,112</u>
(n) Identify the source of the above information and explain methods used to develop the projections					
(Attachment # <u>E</u> ). Include an explanation of any revenue and expense growth or other adjustments; for					
example, any rate increases, service growth, inflation adjustments, expense adjustments reflecting the cost of					
operating additional facilities, or other considerations.					
(o)					
Are the above projections consistent with the capital improvements financing information in the accepted clean water					
facilities plan? <u>x</u> Yes <u>      </u> No. If not, explain on Attachment # <u>      </u> .					



## **PART V – SUPPLEMENTARY INFORMATION**

## LIST OF ATTACHMENTS

**LIST OF ATTACHMENTS.** This application requires the submittal of *Attachments* to provide supplemental information. The application is not complete without the completed *List of Attachments*. Please list all attachments that you are including with this application form.

[illegible]

## Additional Contacts

Attachment A



## Additional Contacts

### City of North Miami

Name of contact: Wisler Pierre-Louis, P.E.

Title: Assistant Public Works Director

Phone number: 305-895-9838 Ext 15005

Email: PWisler@northmiamifl.gov

Address: Public Works Department

1815 NE 150 ST

North Miami FL 33181

### City of North Miami:

Name of contact: Nakia Johnson

Title: Administrative Coordinator

Phone number: 305-895-9830

Email: najohnson@northmiamifl.gov

Address: Public Works Department

776 NE 125 ST

North Miami FL 33161

### TAMCO-BV, LLC:

Name of contact: Brenda Westlake

Title: Funding Project Manager

Phone number: 941-348-8364

Email: brenda@tamco-bv.com

Address: TAMCO-BV, LLC

1675 Gainer Rd

Chipley FL 32428

# EPA Preaward Compliance Review Report

Attachment B



**Preadward Compliance Review Report for  
All Applicants and Recipients Requesting EPA Financial Assistance**  
**Note: Read instructions on other side before completing form.**

<b>I. Applicant/Recipient (Name, Address, State, Zip Code).</b> <b>City of North Miami, 776 NE 125th Street - 4th Floor, North Miami FL 33161</b>	<b>DUNS No.</b>
<b>II. Is the applicant currently receiving EPA assistance?</b> <b>The City has not received any additional funding outside of their FDEP-SRF Loan for this project.</b>	
<b>III. List all civil rights lawsuits and administrative complaints pending against the applicant/recipient that allege discrimination based on race, color, national origin, sex, age, or disability. (Do not include employment complaints not covered by 40 C.F.R. Parts 5 and 7. See instructions on reverse side.)</b>	
<b>IV. List all civil rights lawsuits and administrative complaints decided against the applicant/recipient within the last year that allege discrimination based on race, color, national origin, sex, age, or disability and enclose a copy of all decisions. Please describe all corrective action taken. (Do not include employment complaints not covered by 40 C.F.R. Parts 5 and 7. See instructions on reverse side.)</b>	
<b>V. List all civil rights compliance reviews of the applicant/recipient conducted by any agency within the last two years and enclose a copy of the review and any decisions, orders, or agreements based on the review. Please describe any corrective action taken. (40 C.F.R. § 7.80(c)(3))</b>	
<b>VI. Is the applicant requesting EPA assistance for new construction? If no, proceed to VII; if yes, answer (a) and/or (b) below.</b> <div style="display: flex; justify-content: space-around;"> <span><b>Yes</b></span> <span><b>No</b></span> </div> <b>a. If the grant is for new construction, will all new facilities or alterations to existing facilities be designed and constructed to be readily accessible to and usable by persons with disabilities? If yes, proceed to VII; if no, proceed to VI(b).</b> <div style="display: flex; justify-content: space-around;"> <span><b>Yes</b></span> <span><b>No</b></span> </div> <b>b. If the grant is for new construction and the new facilities or alterations to existing facilities will not be readily accessible to and usable by persons with disabilities, explain how a regulatory exception (40 C.F.R. § 7.70) applies.</b> <div style="display: flex; justify-content: space-around;"> <span><b>Yes</b></span> <span><b>No</b></span> </div>	
<b>VII.* Does the applicant/recipient provide initial and continuing notice that it does not discriminate on the basis of race, color, national origin, sex, age, or disability in its programs or activities? (40 C.F.R. § 5.140 and § 7.95)</b> <div style="display: flex; justify-content: space-around;"> <span><b>Yes</b></span> <span><b>No</b></span> </div> <b>a. Do the methods of notice accommodate those with impaired vision or hearing?</b> <div style="display: flex; justify-content: space-around;"> <span><b>Yes</b></span> <span><b>No</b></span> </div> <b>b. Is the notice posted in a prominent place in the applicant's offices or facilities or, for education programs and activities, in appropriate periodicals and other written communications?</b> <div style="display: flex; justify-content: space-around;"> <span><b>Yes</b></span> <span><b>No</b></span> </div> <b>c. Does the notice identify a designated civil rights coordinator?</b> <div style="display: flex; justify-content: space-around;"> <span><b>Yes</b></span> <span><b>No</b></span> </div>	
<b>VIII.* Does the applicant/recipient maintain demographic data on the race, color, national origin, sex, age, or handicap of the population it serves? (40 C.F.R. § 7.85(a))</b>	
<b>IX.* Does the applicant/recipient have a policy/procedure for providing access to services for persons with limited English proficiency? (40 C.F.R. Part 7, E.O. 13166)</b>	
<b>X.* If the applicant/recipient is an education program or activity, or has 15 or more employees, has it designated an employee to coordinate its compliance with 40 C.F.R. Parts 5 and 7? Provide the name, title, position, mailing address, e-mail address, fax number, and telephone number of the designated coordinator. <b>Yes, Rebecca Jones, 776 NE 125st N. Miami FL 305-893-6511</b></b>	
<b>XI* If the applicant/recipient is an education program or activity, or has 15 or more employees, has it adopted grievance procedures that assure the prompt and fair resolution of complaints that allege a violation of 40 C.F.R. Parts 5 and 7? Provide a legal citation or Internet address for, or a copy of, the procedures.</b>	
<b>For the Applicant/Recipient</b>	
I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law. I assure that I will fully comply with all applicable civil rights statutes and EPA regulations.	
<b>A. Signature of Authorized Official</b>	<b>B. Title of Authorized Official</b> <b>City Manager</b>
<b>For the U.S. Environmental Protection Agency</b>	
I have reviewed the information provided by the applicant/recipient and hereby certify that the applicant/recipient has submitted all preaward compliance information required by 40 C.F.R. Parts 5 and 7; that based on the information submitted, this application satisfies the preaward provisions of 40 C.F.R. Parts 5 and 7; and that the applicant has given assurance that it will fully comply with all applicable civil rights statutes and EPA regulations.	
<b>A. Signature of Authorized EPA Official</b>	<b>B. Title of Authorized EPA Official</b>
<b>C. Date</b>	
See ** note on reverse side	



## Instructions for EPA FORM 4700-4 (Rev. 04/2009)

### General

Recipients of Federal financial assistance from the U.S. Environmental Protection Agency must comply with the following statutes and regulations.

Title VI of the Civil Rights Acts of 1964 provides that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. The Act goes on to explain that the statute shall not be construed to authorize action with respect to any employment practice of any employer, employment agency, or labor organization (except where the primary objective of the Federal financial assistance is to provide employment).

Section 13 of the 1972 Amendments to the Federal Water Pollution Control Act provides that no person in the United States shall on the ground of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under the Federal Water Pollution Control Act, as amended. Employment discrimination on the basis of sex is prohibited in all such programs or activities.

Section 504 of the Rehabilitation Act of 1973 provides that no otherwise qualified individual with a disability in the United States shall solely by reason of disability be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. Employment discrimination on the basis of disability is prohibited in all such programs or activities.

The Age Discrimination Act of 1975 provides that no person on the basis of age shall be excluded from participation under any program or activity receiving Federal financial assistance. Employment discrimination is not covered. Age discrimination in employment is prohibited by the Age Discrimination in Employment Act administered by the Equal Employment Opportunity Commission.

Title IX of the Education Amendments of 1972 provides that no person in the United States on the basis of sex shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance. Employment discrimination on the basis of sex is prohibited in all such education programs or activities. Note: an education program or activity is not limited to only those conducted by a formal institution.

40 C.F.R. Part 5 implements Title IX of the Education Amendments of 1972.

40 C.F.R. Part 7 implements Title VI of the Civil Rights Act of 1964, Section 13 of the 1972 Amendments to the Federal Water Pollution Control Act, and Section 504 of The Rehabilitation Act of 1973.

The Executive Order 13166 (E.O. 13166) entitled; "Improving Access to Services for Persons with Limited English Proficiency" requires Federal agencies work to ensure that recipients of Federal financial assistance provide meaningful access to their LEP applicants and beneficiaries.

### Items

"Applicant" means any entity that files an application or unsolicited proposal or otherwise requests EPA assistance. 40 C.F.R. §§ 5.105, 7.25.

"Recipient" means any entity, other than applicant, which will actually receive EPA assistance. 40 C.F.R. §§ 5.105, 7.25.

"Civil rights lawsuits and administrative complaints" means any lawsuit or administrative complaint alleging discrimination on the basis of race, color, national origin, sex, age, or disability pending or decided against the applicant and/or entity which actually benefits from the grant, but excluding employment complaints not covered by 40 C.F.R. Parts 5 and 7. For example, if a city is the named applicant but the grant will actually benefit the Department of Sewage, civil rights lawsuits involving both the city and the Department of Sewage should be listed.

"Civil rights compliance review" means any review assessing the applicant's and/or recipient's compliance with laws prohibiting discrimination on the basis of race, color, national origin, sex, age, or disability.

Submit this form with the original and required copies of applications, requests for extensions, requests for increase of funds, etc. Updates of information are all that are required after the initial application submission.

If any item is not relevant to the project for which assistance is requested, write "NA" for "Not Applicable."

In the event applicant is uncertain about how to answer any questions, EPA program officials should be contacted for clarification.

\* Questions VII – XI are for informational use only and will not affect an applicant's grant status. However, applicants should answer all questions on this form. (40 C.F.R. Parts 5 and 7).

\*\* Note: Signature appears in the Approval Section of the EPA Comprehensive Administrative Review For Grants/Cooperative Agreements & Continuation/Supplemental Awards form.

Approval indicates, in the reviewer's opinion, questions I – VI of Form 4700-4 comply with the preaward administrative requirements for EPA assistance.

### "Burden Disclosure Statement"

EPA estimates public reporting burden for the preparation of this form to average 30 minutes per response. This estimate includes the time for reviewing instructions, gathering and maintaining the data needed and completing and reviewing the form. Send comments regarding the burden estimate, including suggestions for reducing this burden, to U.S. EPA, Attn: Collection Strategies Division (MC 2822T), Office of Information Collection, 1200 Pennsylvania Ave., NW, Washington, D.C. 20460; and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, D.C. 20503.

The information on this form is required to enable the U.S. Environmental Protection Agency to determine whether applicants and prospective recipients are developing projects, programs and activities on a nondiscriminatory basis as required by the above statutes and regulations.

## Project Descriptions

Attachment C



# Project Descriptions

## NW 2<sup>nd</sup> Avenue Force Main (B-PS-02)

The master plan effort identified and evaluated specific areas of the City's service area. Improvements/Upgrades are required along the NW 2<sup>nd</sup> Ave. from NW 135<sup>th</sup> St. to NW 131<sup>st</sup> St. to meet regulatory requirements as stated in the master plan. Specific upgrades are being proposed includes the upsizing of approximately 1,500 linear feet of the existing 8" diameter force main to a 10" diameter force main along NW 2<sup>nd</sup> Ave from NW 135<sup>th</sup> St. to NW 131<sup>st</sup> St. required for Pump Station B (PS-02).

Estimated construction cost \$532,000

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## Biscayne Boulevard Force Main Improvements

Upgrades/Improvements are required along Biscayne Blvd. from NE 105<sup>th</sup> St. to NE 117<sup>th</sup> St. in order to meet regulatory requirements. Specific upgrades are being proposed to include the upsizing of approximately 5,100 linear feet of existing 8" diameter force main to 12" diameter force main along Biscayne Blvd. as well as upsizing approximately 1,400 linear feet from 8" diameter force main to 12" diameter force main along NE 105<sup>th</sup> St.

Estimated construction cost \$1,522,782

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## NE 12<sup>th</sup> Ave FM

Upgrades/Improvements are required along NE 131<sup>st</sup> from NE 8<sup>th</sup> Ave. to NE 12<sup>th</sup> Ave. as well as along NE 12<sup>th</sup> Ave from NE 131<sup>st</sup> St. to NE 130<sup>th</sup> St. to meet regulatory requirements as set forth in the master plan. Specific upgrades being proposed includes 3,000 linear feet of 16" DIP in order to bypass the 18" sanitary sewer segment and discharge to the 24" gravity sewer for Pump Station H (PS-07).

Estimated construction cost \$993,000

## Bid Information

Attachment D

# Bid Information

## NW 2<sup>nd</sup> Avenue Force Main (B-PS-02)

Advertisement Date:  
Pre-Bid Conference:  
Bid Opening Date:  
City Council Contract Approval Date:

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## Biscayne Boulevard Force Main Improvements

Advertisement Date: March 5, 2014  
Pre-Bid Conference: March 18, 2014  
Bid Opening Date: April 8, 2014  
City Council Contract Approval Date: To be Determined

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## NE 12<sup>th</sup> Ave FM

Advertisement Date:  
Pre-Bid Conference:  
Bid Opening Date:  
City Council Contract Approval Date:



# Financial Documentation

Attachment E

**Project Cost Worksheet**  
**City of North Miami**  
**Construction Loan #13181**

PS 02-B & Biscayne Blvd. FM & NW 12th Ave FM

Item	%	Amount
Construction, Equipment, Materials and Demolition		3,047,782
Eligible Land		0
Other (Allowance)		306,914
Contingency Percentage/Amount	10%	304,778
Technical Services	10%	304,778
Precon Rollover		(478,753)
<b>Total</b>		<b>3,485,499</b>
Years to Construct		2.5
Anticipated Interest Rate		0.81%
Anticipated Capitalized Interest		35,291
<b>TOTAL</b>		<b>3,520,790</b>
Fees	2%	70,416
<b>Total for Amortization</b>		<b>3,591,206</b>
Current Rate	1.81	
Davis-Bacon Interest Reduction	0.25	
Buy American Reduction	0.75	
City's Interest Rate	0.81	

## SCHEDULE OF PRIOR AND PARITY LIENS

List annual debt service beginning two years before the anticipated loan agreement date and continuing at least fifteen fiscal years. Use additional pages as necessary.

Identify Each Obligation

Identify Each Obligation												
#1 SunTrust 1 - Loan		\$1,200,000	#2 SunTrust 3 - Loan		\$508,959	#3 SunTrust 4 - Loan		\$709,181				
Coverage %		120%	Coverage %		120%	Coverage %		120%				
Insured (Yes/No)		Yes	Insured (Yes/No)		Yes	Insured (Yes/No)		Yes				
# 4 SunTrust 5 - Loan		\$514,250	# 5 SunTrust 6 - Loan		\$424,421	# 6 SRF WW131810		\$491,653				
Coverage %		120%	Coverage %		120%	Coverage %		115%				
Insured (Yes/No)		Yes	Insured (Yes/No)		Yes	Insured (Yes/No)		Yes				
# 7 SRF Loan DW131830		\$4,572,325	# 8			# 9						
Coverage %		115%	Coverage %		0%	Coverage %		0%				
Insured (Yes/No)		Yes	Insured (Yes/No)		No	Insured (Yes/No)		No				
Fiscal Year	Annual Debt Service (Principal + Interest)									Total Non-SRF Debt Service w/coverage	Total SRF Debt Service w/coverage	
	#1	#2	#3	#4	#5	#6	#7	#8	#9			
2012	197,734	84,269	90,470	84,428	68,626					630,632	-	
2013	49,434	5,826	87,811	84,425	69,628					356,549	-	
2014			87,812	10,378	69,628					201,382	-	
2015			87,813		69,627	29,490	280,388			188,928	356,360	
2016			87,812			29,490	280,388			105,374	356,360	
2017			87,812			29,490	280,388			105,374	356,360	
2018						29,490	280,388				356,360	
2019						29,490	280,388				356,360	
2020						29,490	280,388				356,360	
2021						29,490	280,388				356,360	
2022						29,490	280,388			-	356,360	
2023						29,490	280,388			-	356,360	
2024						29,490	280,388			-	356,360	
2025						29,490	280,388			-	356,360	
2026						29,490	280,388			-	356,360	
2027						29,490	280,388			-	356,360	
2028						29,490	280,388			-	356,360	
2029						29,490	280,388			-	356,360	
2030						29,490	280,388			-	356,360	
2031						29,490	280,388			-	356,360	
2032						29,490	280,388			-	356,360	
2033						29,490	280,388			-	356,360	
2034						29,490	280,388			-	356,360	
2035						29,490	280,388			-	356,360	



**SCHEDULE OF ACTUAL REVENUES AND DEBT COVERAGE  
FOR PLEDGED REVENUE**

(Provide information for the two fiscal years preceding the anticipated date of the SRF loan agreement)

	<b>FY 2011</b>	<b>FY 2012</b>
(a) Operating Revenues (Identify)		
<u>Water Revenues</u>	<u>\$ 7,149,794</u>	<u>\$ 8,942,395</u>
<u>Sewer Revenues</u>	<u>\$ 10,438,614</u>	<u>\$ 9,970,962</u>
(b) Interest Income	<u>\$ 51,997</u>	<u>\$ 92,675</u>
(c) Other Incomes or Revenues (Identify)		
<u>Other charges for services</u>	<u>\$ 1,661,025</u>	<u>\$ 1,945,339</u>
<u>Capital Improvement Utility Fee</u>	<u>\$ 3,994,996</u>	<u>\$ 1,628,694</u>
(d) Total Revenues	<u>\$ 23,296,426</u>	<u>\$ 22,580,065</u>
(e) Operating Expenses (excluding interest on debt, depreciation, and other non-cash items)	<u>\$ 20,823,528</u>	<u>\$ 18,364,963</u>
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(g) Debt Service (including coverage) Excluding SRF Loans	<u>\$ 5,138,820</u>	<u>\$ 630,632</u>
(h) Debt Service (including coverage) for Outstanding SRF Loans	<u></u>	<u></u>
(i) Net Revenues After Debt Service (i = f - g - h)	<u>\$ (2,665,922)</u>	<u>\$ 3,584,470</u>

Source: City of North Miami 2011 CAFR and 2012 CAFR

Notes: CAFR Worksheets Attachment E- Financial Back-up Documentation

**SCHEDULE OF PROJECTED REVENUES AND DEBT COVERAGE  
FOR RATE-BASED SYSTEM PLEDGED REVENUE**

(Begin with the fiscal year preceding first anticipated semiannual loan payment.)

	<u>FY2013</u>	<u>FY2014</u>	<u>FY2015</u>	<u>FY2016</u>	<u>FY2017</u>
Operating Revenues					
(a) (Identify)					
Water Revenues	12,320,800	12,722,100	13,348,300	14,219,900	14,219,900
Sewer Revenues	13,856,100	15,488,100	16,701,800	17,792,400	17,792,400
(b) Interest Income	55,916	57,985	58,391	60,551	60,551
Other Incomes or					
(c) Revenues (Identify)					
Other Charges for Service	1,688,600	1,692,900	1,697,100	1,705,600	1,705,600
(d) Total Revenues	<u>27,921,416</u>	<u>29,961,085</u>	<u>31,805,591</u>	<u>33,778,451</u>	<u>33,778,451</u>
(e) Operating Expenses	20,231,400	21,158,200	22,145,400	23,190,100	23,190,100
(f) Net Revenues (f = d - e)	<u>7,690,016</u>	<u>8,802,885</u>	<u>9,660,191</u>	<u>10,588,351</u>	<u>10,588,351</u>
Existing Debt Service on					
Non-SRF Projects					
(g) (including coverage)	356,549	201,382	188,928	105,374	105,374
Existing SRF Loan Debt					
(h) (including coverage)	0	0	356,360	356,360	356,360
Total Existing Debt					
(i) Service (l = g + h)	<u>356,549</u>	<u>201,382</u>	<u>545,288</u>	<u>461,734</u>	<u>461,734</u>
Projected Debt Service					
on Non-SRF Future					
Projects (including					
(j) coverage)	0	0	0	0	0
Projected SRF Loan Debt					
Service (including					
(k) coverage)	0	0	0	224,505	224,505
Total Debt Service					
(Existing and Projected)					
(l) (l = i + j + k)	<u>356,549</u>	<u>201,382</u>	<u>545,288</u>	<u>686,239</u>	<u>686,239</u>
Net Revenues After					
(m) Debt (m = f - l)	<u>7,333,467</u>	<u>8,601,503</u>	<u>9,114,903</u>	<u>9,902,112</u>	<u>9,902,112</u>

- (n) Identify the source of the above information and explain methods used to develop the projections (*Attachment # E*). Include an explanation of any revenue and expense growth or other adjustments; for example, any rate increases, service growth, inflation adjustments, expense adjustments reflecting the cost of operating additional facilities, or other considerations.
- (o) Are the above projections consistent with the capital improvements financing information in the accepted clean water facilities plan? ☒ Yes ☐ No. If not, explain on *Attachment #* \_\_\_\_\_.



# USER INTERFACE Affordability Calculation 2010

weights: Income -- 0.421; poverty rate -- 0.374; unemployment rate -- 0.205

To use this form, input the census tracts from the 2000 census map of the rate payers who will be paying for the project. Typically, this will include the area currently served and the area proposed to be served by the project sponsor. Use all census tracts regardless of the amount of your service area/project in a particular census tract. Lookup the county number from Table 2 and use in the County Number column in Table 1. Your affordability index will be calculated and shown in Table 1 line 32. The population numbers shown here are not used in determining whether a sponsor is a small community. The population numbers are only used when the number of census tracts exceeds 25. When there are more than 25 census tracts a weighted average needs to be computed. To do this, input the first 25 tracts into Table 1. Use the additional Afford Worksheets to insert any additional census tracts. Continue this procedure for all census tracts. The weighted average affordability index (line 44) from Afford 1 Worksheet will be the one we'll use for your project.

Project Sponsor

North Miami

Project #

WW13181

Table 1: Affordability Determination				
Number	County Number	Census Tract Number	Index Number	Population
1	86	4.05	86.92	4,860
2	86	4.10	67.02	5,565
3	86	3.07	75.97	5,269
4	86	3.08	75.97	5,269
5	86	3.06	75.97	5,269
6	86	3.05	76.54	7,506
7	86	2.17	82.50	10,776
8	86	2.18	82.50	10,776
9	86	2.20	82.50	10,776
10	86	2.19	82.50	10,776
11	86	1.24	86.72	1,125
12	86	2.09	83.51	7,191
13	86	1.20	86.72	1,125
14	86	1.09	86.39	3,090
15	86	12.03	78.66	7,658
16	86	12.04	90.91	5,322
17	0	0.00	0.00	0
18	0	0.00	0.00	0
19	0	0.00	0.00	0
20	0	0.00	0.00	0
21	0	0.00	0.00	0
22	0	0.00	0.00	0
23	0	0.00	0.00	0
24	0	0.00	0.00	0
25	0	0.00	0.00	0
Summary			80.85	102,353

Table 2: County Numbers			
County #	County	County #	County
1	Alachua	69	Lake
3	Baker	71	Lee
5	Bay	73	Leon
7	Bradford	75	Levy
9	Brevard	77	Liberty
11	Broward	79	Madison
13	Calhoun	81	Manatee
15	Charlotte	83	Marion
17	Citrus	85	Martin
19	Clay	86	Miami-Dade
21	Collier	87	Monroe
23	Columbia	89	Nassau
27	De Soto	91	Okaloosa
29	Dixie	93	Okeechobee
31	Duval	95	Orange
33	Escambia	97	Osceola
35	Flagler	99	Palm Beach
37	Franklin	101	Pasco
39	Gadsden	103	Pinellas
41	Gilchrist	105	Polk
43	Glades	107	Putnam
45	Gulf	109	St. Johns
47	Hamilton	111	St. Lucie
49	Hardee	113	Santa Rosa
51	Hendry	115	Sarasota
53	Hernando	117	Seminole
55	Highlands	119	Sumter
57	Hillsborough	121	Suwannee
59	Holmes	123	Taylor
61	Indian River	125	Union
63	Jackson	127	Volusia
65	Jefferson	129	Wakulla
67	Lafayette	131	Walton
		133	Washington

Bond Buyer 20-Bond GO Index Rate =

4.48%

Financing Rate =

1.81%

Table 3: Weighted Average Affordability Index		
	Index Number	Population
Summary 1	80.85	102,353
Summary 2	0.00	-
Summary 3	0.00	-
Summary 4	0.00	-
Summary 5	0.00	-
Summary 6	0.00	-
Weighted Average	80.85394072	102,353



## Draft Interest Amortization

Loan Amount (pv) <sup>1</sup>	\$3,591,206
Interest Rate (rate)	0.81%
Total # of Periods (Nper)	20
Payment per Period	\$195,221.87
Total Interest Paid	\$ 313,231.44

Period	Payment Amount	Interest	Cumulative Interest	Principal	Principal Paid	Balance
					\$	3,591,205.88
1	195,221.87	29,088.77	29,088.77	166,133.10	166,133.10	3,425,072.78
2	195,221.87	27,743.09	56,831.86	167,478.78	333,611.88	3,257,594.01
3	195,221.87	26,386.51	83,218.37	168,835.35	502,447.23	3,088,758.65
4	195,221.87	25,018.95	108,237.31	170,202.92	672,650.15	2,918,555.73
5	195,221.87	23,640.30	131,877.62	171,581.56	844,231.72	2,746,974.17
6	195,221.87	22,250.49	154,128.11	172,971.38	1,017,203.09	2,574,002.79
7	195,221.87	20,849.42	174,977.53	174,372.44	1,191,575.54	2,399,630.35
8	195,221.87	19,437.01	194,414.53	175,784.86	1,367,360.40	2,223,845.49
9	195,221.87	18,013.15	212,427.68	177,208.72	1,544,569.11	2,046,636.77
10	195,221.87	16,577.76	229,005.44	178,644.11	1,723,213.22	1,867,992.66
11	195,221.87	15,130.74	244,136.18	180,091.13	1,903,304.35	1,687,901.54
12	195,221.87	13,672.00	257,808.18	181,549.86	2,084,854.21	1,506,351.67
13	195,221.87	12,201.45	270,009.63	183,020.42	2,267,874.63	1,323,331.25
14	195,221.87	10,718.98	280,728.62	184,502.88	2,452,377.51	1,138,828.37
15	195,221.87	9,224.51	289,953.13	185,997.36	2,638,374.87	952,831.01
16	195,221.87	7,717.93	297,671.06	187,503.94	2,825,878.80	765,327.08
17	195,221.87	6,199.15	303,870.21	189,022.72	3,014,901.52	576,304.36
18	195,221.87	4,668.07	308,538.27	190,553.80	3,205,455.32	385,750.56
19	195,221.87	3,124.58	311,662.85	192,097.29	3,397,552.61	193,653.27
20	195,221.87	1,568.59	313,231.44	193,653.27	3,591,205.88	0.00

<sup>1</sup> The amount identified is the Construction and also includes estimated Service Fee and Capitalized Interest rate.

## SRF Loan WW13181 Debt Obligation



City of North Miami, Florida, Water and Sewer SunTrust Loan, #4, issued in the amount of \$709,181 - Resolution #??



City of North Miami, Florida, Water and Sewer SunTrust Loan #5, issued in the amount of \$514,250 - Resolution #??



City of North Miami, Florida Water and Sewer SunTrust #6, issued in the amount of \$424,421 - Resolution #??



City of North Miami, Florida, Florida Department of Environmental Protection - State Revolving Loan WW131810, Florida Department of Environmental Protection - State Revolving Loan in the amount of \$491,653, Resolution - R-2012-12



City of North Miami, Florida Department of Environmental Protection - State Revolving Loan DW131830, Winson Drinking Water Treatment Plant Improvements Phase 1, in the amount of \$4,572,325, Resolution - R-2012-153

# CITY OF NORTH MIAMI, FLORIDA

## STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN NET ASSETS PROPRIETARY FUND FISCAL YEAR ENDED SEPTEMBER 30, 2012

	<u>Business-type Activities - Enterprise Funds</u>				Governmental Activities- Internal Service Funds
	<u>Water and Sewer Utility</u>	<u>Solid Waste Services</u>	<u>Stormwater Utility</u>	<u>Totals</u>	
Operating revenues:					
Metered water sales	\$ 8,942,395	\$ -	\$ -	\$ 8,942,395	\$ -
Sanitary sewer sales	4,414,925	-	-	4,414,925	-
Sewage treatment charges	5,556,037	-	-	5,556,037	-
Solid waste services	-	4,757,902	-	4,757,902	-
Stormwater charges	-	-	2,321,677	2,321,677	-
Motor vehicle charges	-	-	-	-	2,569,248
Capital improvement utility fee	1,628,694	-	-	1,628,694	-
Other charges for services	1,945,339	-	-	1,945,339	2,667,872
Total operating revenues	<u>22,487,390</u>	<u>4,757,902</u>	<u>2,321,677</u>	<u>29,566,969</u>	<u>5,237,120</u>
Operating expenses:					
Personal services	3,778,892	1,900,981	548,521	6,228,394	1,062,137
Sewage disposal and water charges	3,838,171	600,825	123,403	4,562,399	-
Solid waste disposal fees	8,450,082	634,571	214,771	9,299,424	-
Claims	-	-	-	-	1,058,482
Materials, supplies, services and other operating expenses	2,297,818	1,866,562	907,100	5,071,480	2,427,228
Depreciation	1,809,741	1,075,352	398,024	3,283,117	336,341
Total operating expenses	<u>20,174,704</u>	<u>6,078,291</u>	<u>2,191,819</u>	<u>28,444,814</u>	<u>4,884,188</u>
Operating income (loss)	<u>2,312,686</u>	<u>(1,320,389)</u>	<u>129,858</u>	<u>1,122,155</u>	<u>352,932</u>
Non-operating revenues (expenses):					
Interest income	92,675	-	-	92,675	8,886
Grants	-	-	-	-	-
Interest expense and fiscal charges	(1,567,262)	(21,452)	(183,958)	(1,772,672)	-
Amortization of bond premium	-	-	-	-	-
Amortization of issuance costs	-	-	-	-	-
Miscellaneous	39,532	988,600	26,680	1,054,812	133,461
Total non-operating revenues (expense)	<u>(1,435,055)</u>	<u>967,148</u>	<u>(157,278)</u>	<u>(625,185)</u>	<u>142,347</u>
Income (loss) before contributions and transfers	<u>877,631</u>	<u>(353,241)</u>	<u>(27,420)</u>	<u>496,970</u>	<u>495,279</u>
Capital contributions	-	97,402	-	97,402	-
Transfers in	-	-	-	-	-
Transfers out	(166,953)	(89,333)	(26,628)	(282,914)	(51,835)
Total contributions and transfers	<u>(166,953)</u>	<u>8,069</u>	<u>(26,628)</u>	<u>(185,512)</u>	<u>(51,835)</u>
Change in net assets	<u>710,678</u>	<u>(345,172)</u>	<u>(54,048)</u>	<u>311,458</u>	<u>443,444</u>
Net assets, beginning	47,593,580	3,032,896	8,337,045	58,963,521	(2,698,350)
Prior period adjustment	48,794	620,704	(177,714)	491,784	-
Net assets, beginning as restated	<u>47,642,374</u>	<u>3,653,600</u>	<u>8,159,331</u>	<u>59,455,305</u>	<u>(2,698,350)</u>
Net assets, ending	<u>\$ 48,353,052</u>	<u>\$ 3,308,428</u>	<u>\$ 8,105,283</u>	<u>59,766,763</u>	<u>\$ (2,254,906)</u>

See notes to basic financial statements.

The accompanying auditors' report and notes are integral parts of these financial statements.



# CITY OF NORTH MIAMI, FLORIDA

## STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN NET ASSETS PROPRIETARY FUNDS

FISCAL YEAR ENDED SEPTEMBER 30, 2011

	<u>Business-type Activities - Enterprise Funds</u>				Governmental Activities- Internal Service Funds
	<u>Water and Sewer Utility</u>	<u>Solid Waste Services</u>	<u>Stormwater Utility</u>	<u>Totals</u>	
Operating revenues:					
Metered water sales	\$ 7,149,794	\$ -	\$ -	\$ 7,149,794	\$ -
Sanitary sewer sales	1,987,092	-	-	1,987,092	-
Sewage treatment charges	8,451,522	-	-	8,451,522	-
Solid waste services	-	6,635,169	2,408,384	9,043,553	-
Stormwater charges	-	-	-	-	-
Motor vehicle charges	-	-	-	-	2,376,456
Capital improvement utility fee	3,994,996	-	-	3,994,996	-
Other charges for services	1,661,025	-	-	1,661,025	1,867,616
Total operating revenues	<u>23,244,429</u>	<u>6,635,169</u>	<u>2,408,384</u>	<u>32,287,982</u>	<u>4,244,072</u>
Operating expenses:					
Personal services	3,648,683	1,956,575	572,424	6,177,682	1,156,740
Sewage disposal and water charges	10,639,149	-	-	10,639,149	-
Solid waste disposal fees	-	1,455,973	-	1,455,973	-
Claims	-	-	-	-	925,753
Materials, supplies, services and other operating expenses	6,535,696	1,982,716	1,231,578	9,749,990	2,839,615
Depreciation	1,228,023	245,919	426,355	1,900,297	538,605
Total operating expenses	<u>22,051,551</u>	<u>5,641,183</u>	<u>2,230,357</u>	<u>29,923,091</u>	<u>5,460,713</u>
Operating income (loss)	<u>1,192,878</u>	<u>993,986</u>	<u>178,027</u>	<u>2,364,891</u>	<u>(1,216,641)</u>
Non-operating revenues (expenses):					
Interest income	51,997	-	-	51,997	2,741
Grants	521,471	-	-	521,471	-
Interest expense and fiscal charges	(145,278)	-	(203,164)	(348,442)	-
Amortization of bond premium	-	-	-	-	-
Amortization of issuance costs	-	-	-	-	-
Miscellaneous	169,158	27,807	2,891	199,856	229,774
Total non-operating revenues (expense)	<u>597,348</u>	<u>27,807</u>	<u>(200,273)</u>	<u>424,882</u>	<u>232,515</u>
Income (loss) before contributions and transfers	<u>1,790,226</u>	<u>1,021,793</u>	<u>(22,246)</u>	<u>2,789,773</u>	<u>(984,126)</u>
Capital contributions	5,110	-	-	5,110	-
Transfers in	106,200	69,200	-	175,400	-
Transfers out	(129,834)	(65,339)	(18,809)	(213,982)	(33,143)
Total contributions and transfers	<u>(18,524)</u>	<u>3,861</u>	<u>(18,809)</u>	<u>(33,472)</u>	<u>(33,143)</u>
Change in net assets	1,771,702	1,025,654	(41,055)	2,756,301	(1,017,269)
Net assets (deficit), beginning	<u>45,821,878</u>	<u>2,007,242</u>	<u>8,378,100</u>	<u>56,207,220</u>	<u>(1,681,081)</u>
Net assets (deficit), ending	<u>\$ 47,593,580</u>	<u>\$ 3,032,896</u>	<u>\$ 8,337,045</u>	<u>\$ 58,963,521</u>	<u>\$ (2,698,350)</u>

See notes to basic financial statements.



Table 37 Comparison of the Combined System Revenue and Revenue

Line	Description	For the Fiscal Year Ended:				
		2012	2013	2014	2015	2016
COMBINED SYSTEM						
REVENUES						
Revenues Under Existing Rates:						
1	Water	\$ 11,951,400	\$ 12,079,200	\$ 12,351,600	\$ 12,785,700	\$ 13,415,000
2	Sewer	11,074,300	11,934,600	13,890,700	15,565,500	16,785,300
3	Total System	\$ 23,027,700	\$ 24,013,800	\$ 26,242,300	\$ 28,351,200	\$ 30,200,300
Percent Rate Increase:						
4	Water	1.60%	2.00%	3.00%	4.40%	6.00%
5	Sewer	15.00%	16.10%	11.50%	7.30%	6.00%
6	Total System	8.00%	9.00%	7.50%	6.00%	6.00%
Actual Rate Increase:						
7	Implementation Period	6 months	12 months	12 months	12 months	12 months
8	Water	\$ 95,650	\$ 241,800	\$ 370,600	\$ 562,600	\$ 804,900
9	Sewer	830,550	1,921,500	1,697,400	1,136,300	1,007,100
10	Total System	\$ 926,200	\$ 2,163,300	\$ 2,067,900	\$ 1,698,900	\$ 1,812,000
11	Revenues Under Proposed Rates	\$ 23,953,900	\$ 26,176,900	\$ 28,210,200	\$ 30,050,100	\$ 32,012,300
12	Total Other Revenues	\$ 1,688,600	\$ 1,688,600	\$ 1,692,900	\$ 1,697,100	\$ 1,705,600
13	Total System Revenues	\$ 25,642,500	\$ 27,865,500	\$ 29,903,100	\$ 31,747,200	\$ 33,717,900
OPERATING EXPENDITURES						
O&M Expenses:						
14	Contractual Services	\$ 2,956,400	\$ 3,144,600	\$ 3,347,400	\$ 3,566,700	\$ 3,803,500
15	Utility Equipment Maintenance	1,081,200	1,146,800	1,216,700	1,291,200	1,370,700
16	Water Plant	4,802,800	4,949,300	5,105,200	5,277,400	5,460,400
17	W&S Special Projects	0	0	0	0	0
18	Water Distribution	1,383,000	1,458,300	1,537,800	1,621,700	1,710,300
19	Sewer Collection and Disposal	9,141,500	9,532,400	9,957,100	10,388,400	10,845,200
20	Sewer Projects	0	0	0	0	0
21	Total O&M Expenses	\$ 19,354,900	\$ 20,231,400	\$ 21,158,200	\$ 22,145,400	\$ 23,190,100
22	Net Revenues	\$ 6,287,600	\$ 7,634,100	\$ 8,744,900	\$ 9,601,800	\$ 10,527,800
23	Total Debt Service	\$ 543,000	\$ 721,000	\$ 1,863,200	\$ 1,852,800	\$ 1,950,100
24	Income Available for Other Exp.	\$ 5,744,600	\$ 6,913,100	\$ 6,881,700	\$ 7,749,000	\$ 8,577,700
Debt Service Coverage						
25	Achieved	11.58	10.59	4.69	5.18	5.40
26	Target	1.20	1.20	1.20	1.20	1.20
Other Expenditures & Transfers:						
27	Renewal and Replacement Fund	\$ 1,884,000	\$ 1,964,100	\$ 2,047,600	\$ 2,134,600	\$ 2,225,800
28	Transfer to General Fund	1,559,600	1,559,600	1,563,500	1,567,400	1,575,300
29	Transfer to Pension Fund	167,000	174,500	182,400	191,100	200,200
30	Reserve for Employee Benefits	279,400	299,000	319,900	342,300	366,300
31	Rate Stabilization Fund	641,500	641,500	642,900	644,400	647,500
32	Total Other Exp. & Transfers	\$ 4,531,500	\$ 4,638,700	\$ 4,756,300	\$ 4,879,800	\$ 5,015,100
33	Total Revenue Requirements	\$ 24,429,400	\$ 25,591,100	\$ 27,777,700	\$ 28,878,000	\$ 30,155,300
34	Operating Surplus/Deficit	\$ 1,213,100	\$ 2,274,400	\$ 2,125,400	\$ 2,869,200	\$ 3,562,600
Fund Balance:						
35	Beginning Fund Balance	\$ 12,300	\$ 1,225,400	\$ 2,999,800	\$ 2,579,700	\$ 4,448,900
36	Operating Surplus	1,213,100	2,274,400	2,125,400	2,869,200	3,562,600
37	Cash Funding of Capital Projects	0	(500,000)	(2,545,500)	(1,000,000)	0
38	Ending Fund Balance	\$ 1,225,400	\$ 2,999,800	\$ 2,579,700	\$ 4,448,900	\$ 8,011,500
39	Days Fund Balance on Hand	23	53	44	72	124



## Legal Opinion Letter

Attachment F



LEGAL OPINION

DATE 4/1/2014

Mahnaz Massoudi  
Engineer IV  
FDEP – Water & Waste Water Facilities Funding  
2600 Blairstone Road  
MS3505  
Tallahassee, Florida 32399

RE: Project WW131  
Project Name:

Dear Ms. Massoudi;

I am the duly appointed City Attorney for the City of North Miami, Florida ("City"). The City proposes to borrow \$3,485,499, excluding capitalized interest from the State Revolving Fund for the improvements to the City's Force Main projects identified above. The following addresses Form 62-503.430(4) of the Florida Department of Environmental Protection State Revolving Fund, Clean Water Loan Application, and Effective Date 5-1-2014.

- A) Availability of the revenues to repay the loan. The loan will be secured by the net operation revenues of the City's water and sewer system and the pledged revenues are available to pledge.
- B) Right to increase rates at which revenues shall be collected to repay the loan. The City of North Miami has the legal authority to increase rates to ensure repayment of the loan.
- C) Subordination of the pledge if pledged revenues are subject to a prior and parity lien. The pledge on revenues is subject to the prior lien with the following:
  - 1) City of North Miami, Florida and Sewer System, SunTrust Loans #4 - \$709,181, SunTrust Loan #5 - \$514,250, SunTrust Loan #6 - \$424,421
  - 2) City of North Miami, Florida -SRF Loan WW131810 - \$491,653
  - 3) City of North Miami, Florida SRF Loan DW131830 - \$4,572,325

Sincerely,

Regine M. Monestime  
City Attorney

# Loan Resolution

Attachment G

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE CITY MANAGER AND THE CITY ATTORNEY TO SUBMIT AN APPLICATION FOR PROJECT FINANCING UNDER THE STATE REVOLVING FUND PROGRAM AND TO NEGOTIATE AND EXECUTE AN AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND THE DEPARTMENT OF ENVIRONMENTAL PROTECTION; ESTABLISHING PLEDGED REVENUES DESIGNATING AUTHORIZED REPRESENTATIVES; PROVIDING ASSURANCES OF COMPLIANCE WITH PROGRAM REQUIREMENTS; PROVIDING FOR AN EFFECTIVE DATE AND ALL OTHER PURPOSES.

**WHEREAS**, Florida Statutes provide for financial assistance to local government agencies to finance construction of Pump Stations and Force Mains Improvements; and

**WHEREAS**, Florida Administrative Code rules require authorization to apply for financial assistance, to establish pledged revenues, to designate an authorized representative, to provide assurances of compliance with program requirements; and to enter into an agreement; and

**WHEREAS**, the Florida Department of Environmental Protection State Revolving Fund (SRF) has designated the Pump Stations and Force Main Improvements, under Project Number CW Project No. WW13181, as eligible for available funding; and

**WHEREAS**, funds will be used toward sewer improvements for "Force Main Rehabilitation Project/NW 2<sup>nd</sup> Avenue between NW 125<sup>th</sup> Street and NW 131<sup>st</sup> Street" ; and "Force Main Rehabilitation Project/NE 131<sup>st</sup> Street between NE 8<sup>th</sup> Avenue and NE 12<sup>th</sup> Avenue" and "Biscayne Blvd Force Main Improvements Project" projects.

**WHEREAS**, the Mayor and City Council of the City of North Miami have determined the approval the attached Loan Application, in order to obtain necessary funding in accordance with SRF guidelines, is in the best interest of the City.

**NOW THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA;**

**Section 1. Submittal of Application.** The Mayor and City Council of the City of North Miami, Florida, hereby authorize the submittal of the City of North Miami's Clean Water Loan Application for project financing under the State Revolving Fund Program.

**Section 2. Authority of City Manager and City Attorney.** The City Manager and City Attorney are hereby authorized to negotiate and execute an agreement between the City of North Miami, Florida and Department of Environmental Protection for the State Revolving Fund Program.



**Section 3      Establishment of Pledged Revenues.** The revenues pledged for the repayment of the loan are net water and sewer utility system revenues.

**Section 4      Designation of City Manager as Authorized Representative.** The Mayor and City Council of the City of North Miami, Florida, hereby designate the City Manager as the authorized representative to provide the assurances and commitments required by the application and to carry out the obligations of the agreement.

**Section 5      Effective Date.** This resolution shall become effective immediately upon adoption.

**PASSED AND ADOPTED** by a \_\_\_\_\_ vote of the Mayor and City Council of the City of North Miami, Florida, this \_\_\_\_\_ day of April 2014

\_\_\_\_\_  
Lucie M. Tondreau.  
MAYOR

ATTEST:

\_\_\_\_\_  
MICHAEL A. ETIENNE, ESQ.  
CITY CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

\_\_\_\_\_  
REGINE M. MONESTIME, ESQ.  
CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

**Vote:**

Mayor Lucie M. Tondreau.  
Councilperson Scott Galvin

\_\_\_\_\_(Yes) \_\_\_\_\_(No)  
\_\_\_\_\_(Yes) \_\_\_\_\_(No)

Councilperson Carol Keys, Esq.  
Councilperson Philippe Bien-Aime  
Councilperson Marie Erlande Steril

\_\_\_\_\_(Yes) - \_\_\_\_\_(No)  
\_\_\_\_\_(Yes) \_\_\_\_\_(No)  
\_\_\_\_\_(Yes) \_\_\_\_\_(No)

DRAFT